



PATENT  
Attorney Docket No.: 022195-1.00US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Wendell D. Brown

Application No.: 10/796,423

Filed: March 8, 2004

For: VIRTUAL CALL CENTER

Customer No.: 20350

Confirmation No. 1877

Examiner: Unassigned

Technology Center/Art Unit: Unassigned

**PETITION TO  
ACCEPT FORMAL DRAWINGS  
AND  
REINSTATE FILING DATE**

MAIL STOP PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant received a Notice of Incomplete Provisional Application dated September 23, 2004 stating: "The application was deposited without drawings. 35 U.S.C. § 113 (first sentence) requires a drawing 'where necessary for the understanding of the subject matter sought to be patented.'"

Applicant respectfully advises that the nonprovisional application filed on March 8, 2004 included Figs. 1 and 2 which satisfy the requirements of 35 U.S.C. § 113. In support of this, Applicant respectfully submits copies of:

- 1) Utility Patent Application Transmittal" (Exhibit A);
- 2) Applicant's return receipt postcard (Exhibit B); and
- 3) 2 sheets of drawings properly labeled at the top (Exhibit C).

Applicant also submits herewith a new set of properly labeled formal Figs. 1 and 2. These drawings include sufficient detail to facilitate understanding of the subject matter sought to be patented.

Wendell D. Brown  
Response Dated: September 29, 2004  
Reply to Office Action of September 23, 2004  
Page 2

Applicant respectfully petitions to have the Notice of Incomplete Provisional Application vacated and respectfully request reinstatement of the March 8, 2004 filing date.

Applicant further requests an Official Filing Receipt be issued confirming the filing date of March 8, 2004.

Applicant believes that no fee is due for this submission. However, should the Commissioner deem otherwise, please charge the Petition fee in the amount of \$130 or credit any overpayment in accordance with the enclosed Fee Transmittal to the Deposit Account No. 20-1430.

Respectfully submitted,



Kenneth R. Allen  
Reg. No. 27,301

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
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KRA:deh

# UTILITY PATENT APPLICATION TRANSMITTAL

for new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No.	022195-1.00US
First Inventor	Brown, Wendell D.
Title	VIRTUAL CALL CENTER
Express Mail Label No.	EV 322 213 425 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 17 ]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2 ]
5. Oath or Declaration [Total Pages 1 ]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper number of pages
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Art Unit: \_\_\_\_\_

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number

20350

OR ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

(650) 326-2400

Fax

(650) 326-2422

Name (Print/Type)

Kenneth R. Allen

Registration No. (Attorney/Agent)

27,301

Signature

*Kenneth R. Allen*

Date

March 8, 2004

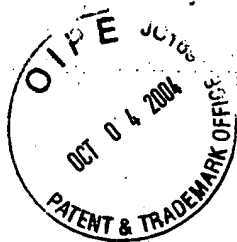


EXHIBIT B

Mailing Date: March 8, 2004 Express Mail Label No.: EV 322 213 425 US  
File No.: 022195-1.00US Attorney:Sec'y: KRA:deh  
Inventor(s): Brown Wendell D.  
Title: Virtual Call Center

22782 U.S. PTO  
10/796423



Patent Application consisting of:

12 Pages of Description, 3 Page of Claims, 1 page of Abstract and 1 title page; and  
2 Sheets of formal drawings.

Accompanying the above patent application are:

- 1) Utility Patent Application Transmittal (1 p);
- 2) Fee Transmittal (in duplicate) (1 p);
- 3) Declaration (37 CFR 1.63) For Utility or Design Application Using An Application Data Sheet (37 CFR 1.76) (1 p);
- 4) Application Data Sheet (2 pp);
- 5) Power of Attorney or Authorization of Agent (1 p);
- 6) Nonpublication Request Certification (1 p); and
- 7) Return Receipt Postcard.

Kindly stamp receipt date and serial number and return to addressee to acknowledge receipt of the above documents.

60160207 v1

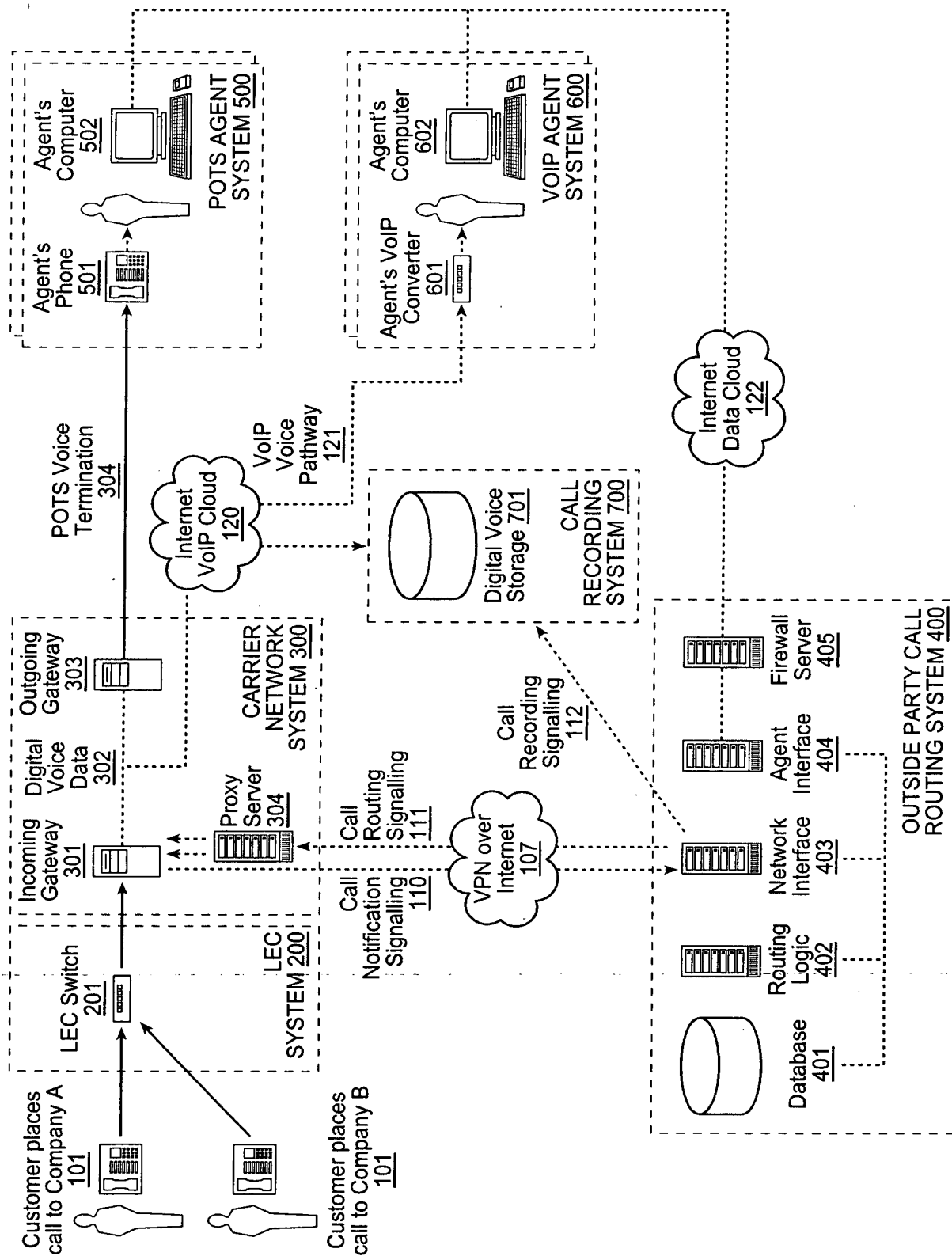


FIG. 1



EXHIBIT C

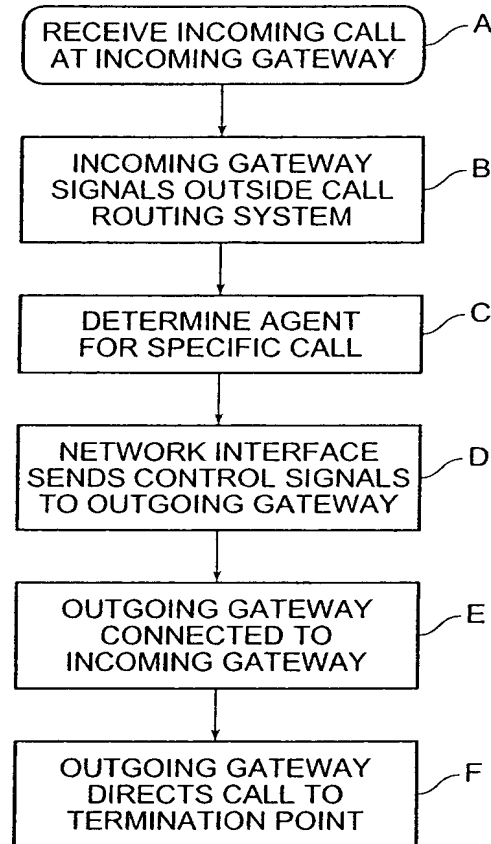


FIG. 2